

For Review and Adoption by the DSC at the May 26, 2016 Meeting

**Thursday, April 28, 2016
DELTA STEWARDSHIP COUNCIL
Park Tower Plaza – 2nd Floor Conference Center
980 Ninth Street
Sacramento, CA 95814**

MEETING SUMMARY

1. Welcome and Introductions

The meeting was called to order at 9:05 a.m. by Chair Randy Fiorini.

2. Roll Call – Establish a Quorum (Water Code §85210.5)

Roll call was taken and a quorum established at 9:05 a.m. The following members were present: Patrick Johnston, Frank Damrell, Randy Fiorini, Susan Tatayon, and Mary Piepho. The following member was absent: Aja Brown.

3. Adoption of the March 24, 2016 Meeting Summary (Action Item)

Chair Fiorini asked if there were any questions, suggestions, or comments from the Council or public regarding the March 24, 2016 Meeting Summary; there were none.

Motion: (Offered by Tatayon, seconded by Johnston) to approve the March 24, 2016, meeting summary.

Vote: (5/0: Damrell, Johnston, Tatayon, Piepho, Fiorini) and the motion was adopted. *The video showing this motion and vote can be found on the linked agenda at <http://www.cal-span.org/cgi-bin/archive.php?owner=DSC&date=2016-04-28&player=jwplayer> at 01:37.*

4. Chair's Report

Chair Fiorini provided opening remarks, noting the full agenda. Chair Fiorini said much of his time has been spent on activities related to the upcoming Delta Plan Interagency Implementation Committee (DPIIC) meeting. Chair Fiorini said all 17 members of the DPIIC confirmed their attendance and asked Jessica Law, the DPIIC Coordinator, to provide brief comments on the agenda. Ms. Law began by providing background information on DPIIC and then described the agenda. Ms. Law said this fifth meeting of the DPIIC would focus on *One Delta, One Science* and more specifically, adaptive management, EcoRestore, the Yolo Bypass, and the High-Impact Science Actions (HISA). The DPIIC meeting will be held at the Capitol Plaza Holiday Inn, from 1-5, on May 9.

Chair Fiorini asked if there were any questions from the Council and, as there were none, he concluded his report.

5. Executive Officer's Report

Executive Officer Jessica Pearson brought to the Council's attention two comment letters sent by staff and provided as handouts at the meeting. The first letter regarding the Council's comments on the Notice of Preparation for the 2017 Central Valley Flood Protection Plan Update Supplemental Program Environmental Impact Report, SCH#2010102044, was sent to Michele Ng of the Department of Water Resources. The comment letter is posted on the Council website at

http://www.deltacouncil.ca.gov/sites/default/files/2016/04/NOP_2017FloodPlanUpdateDSCcomments_041416.pdf. The second letter contained the Council's comments on

the Proposed Mitigated Negative Declaration for the Decker Island Levee Repair Demonstration Project, SCH#2016032048 and was sent to Steven Garcia of the Department of Water Resources. The comment letter is posted on the Council website at

http://www.deltacouncil.ca.gov/sites/default/files/2016/04/DSCcomments_DeckerIslandLeveeRepair_MND_04-14-16%20%282%29.pdf.

Ms. Pearson also distributed a letter to the Council from the State Water Contractors (Contractors) regarding the development of the Council's Delta Levees Investment Strategy. The letter is posted on the Council website at

<http://deltacouncil.ca.gov/docs/dlis-comment-letter-terry-erlewine-state-water-contractors-gm-jessica-pearson-dsc-ex-ofcr>.

Ms. Pearson welcomed new staff member Cassandra Enos, deputy executive officer for planning, performance, and technology. Ms. Enos replaces Cindy Messer. Ms. Pearson expressed her appreciation to Jessica Davenport for acting as the deputy during the recruitment and hiring process. Ms. Pearson also welcomed Melissa Ho to the Council as a half-time Senior Accounting Officer in the Administration Division.

5a. Legal Update

Bethany Pane, senior staff counsel, presented the legal Update. Ms. Pane's update is posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-agenda-item-5a-legal-update>.

At the conclusion of the Ms. Pane's update, Chair Fiorini asked if there were any questions from the Council or members of the public who wished to comment; there were none.

5b. Legislative Update

Ms. Pearson invited Ryan Stanbra to provide the Legislative Update. Mr. Stanbra's update is posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-agenda-item-5b-legislative-update>.

Included in Mr. Stanbra's update is 1) the Bill Tracking Report, posted at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-5b-april-2016-bill-report>; 2) a copy of AB 1755 (Dodd), the Open and Transparent Water

Data Act, posted at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item5bab1755dodd> and the bill analysis, posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-5b-ab-1755-bill-analysis>; 3) a copy of AB 2304 (Levine), California Market Exchange, posted at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item5bab2304levine> and the bill analysis posted at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-5b-ab-2304-bill-analysis>; 4) a copy of SB 1713 (Eggman) regarding Sacramento San-Joaquin Delta: peripheral canal, posted at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-5b-ab-1713-eggman> and the bill analysis posted at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-5b-ab-1713-bill-analysis>; and 5) a copy of AB 2583 (Frazier) regarding the Sacramento-San Joaquin Delta Reform Act of 2009, posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item5bab2583frazier> and the bill analysis, posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-5b-ab-2583-bill-analysis>.

At the conclusion of Mr. Stanbra's report, Chair Fiorini asked if there were any questions or members of the public who wished to comment; there were none.

5c. Quarterly Contract Update

Ms. Pearson noted the inclusion of the Quarterly Contract Update in the members' binders and posted on the Council's website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-5c-1st-qtrly-board-report-2016>. There were no questions or comments from the Council members or public on the Quarterly Contract Update.

Ms. Pearson concluded her report by previewing the day's meeting. Included were two action items, consideration of a contract with U.C. San Diego to support the 2017 class of Delta Science Fellows and approval of grants for three research projects consistent with high-impact actions. Among the items to be discussed during the meeting were: the 2016 Water Year; Report on Long-Term Operations Biological Opinions (LOBO) Annual Reviews; a discussion regarding Delta assets of significant State interest and an update on the Delta Levees Investment Strategy; and a final action item, Approval of Department of Water Resources Proposed Proposition 12 Expenditures: Delta Aqueduct Protection Project for Upper Jones Tract (RD 2039).

6. Lead Scientist's Report

Dr. Cliff Dahm presented the Lead Scientist's Report covering a number of collaborative and science communication activities. The staff report for Agenda Item 6 is posted on the Council's website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-6-lead-scientist-report>.

Dr. Dahm highlighted efforts to track the outcomes of the Science Fellows' research and the March 29th Delta and Longfin Smelt Symposium co-sponsored by the Science Program. A summary document is being developed for the symposium. Council

Member Johnston noted that a theme of the symposium was whether or not extinction is inevitable and asked if anyone had said “yes.” Dr. Dahm clarified that the question was if extinction was inevitable in the next 10 years and that no one had said “yes.”

The science peer review requested by the National Oceanic and Atmospheric Administration to review the science behind the approach to the WaterFix joint biological opinion was held April 4-5 and included some of the best scientists to consider this question. Dr. Dahm also noted recent presentations by himself and Dr. John Wiens to the Interagency Ecological Program and by Sean Hayes to the State Water Resources Control Board.

Chair Fiorini mentioned that as part of the DPIIC preparations, he recently met with John D’Antonio from the US Army Corps of Engineers who has a connection to Sandia Labs in New Mexico and is aware of Sandia’s new modeling for predicting temperatures. At a later meeting with the US Bureau of Reclamation (Reclamation), it was mentioned that Reclamation has funding for drought management. Chair Fiorini hopes to connect these two efforts.

Member Damrell asked if the other water agencies have sufficient updates on scientific and research efforts. Dr. Dahm emphasized the work of the DPIIC and efforts to get more agencies to work collaboratively. Chair Fiorini noted that strides are being made by the DPIIC and the Delta Agency Science Workgroup to increase the interface between policy and science.

Jessica Law reiterated that DPIIC’s theme this year is *One Delta, One Science*. The November meeting will be the same week as the Delta Science Conference and the release of the *State of the Bay Delta Science*. The topics in this report are going to be very relevant to the policy work.

After Dr. Dahm concluded the Lead Scientist’s Report, he invited Daniel Livsey to discuss the *By the Numbers* report. *By the Numbers* is posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-6-attachment-2-numbers>.

Chair Fiorini asked if there any members of the public who wished to comment; there were none.

7a. Consideration of Contract with U.C. San Diego/California Sea Grant for 2017 Class of Delta Science Fellows (Action Item)

Ms. Pearson introduced Agenda Item 7a and invited Marina Brand to provide a briefing on the staff recommendation for the Council to authorize the Executive Officer to enter into a new contract with U.C. San Diego/California Sea Grant to continue research under the Delta Science Fellows Program. The Executive Officer has delegated authority up to \$500,000 to enter into contracts and interagency agreements on the Council’s behalf. Because this contract would exceed that amount, it requires Council authorization. The staff report is posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-7a-approval-contract-uc-san-diego-2017>. Attachment 1, 2013 Class of Science Fellows

is posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-7a-attach-1-2013-delta-science-fellows>. The table summarizes the research from the Class of 2013. Attachment 2, posted on the Council's website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-7a-attach-2-2015-2016-delta-sci-fellows>, provides information about the Class of 2015 recipients and their research topics and how their research relates to the High-Impact Science Actions. Attachment 3, the Science Fellows' Budget, is posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-7a-attach-3-delta-science-fellows-program>.

Chair Fiorini asked if there were any members of the public who wished to comment; there were none.

Motion: (Offered by Piepho, seconded by Tatayon) to, contingent upon Legislative approval of the Council's proposed Fiscal Year 2016-17 budget, authorize the Executive Officer to enter into a new three-year contract with U.C. San Diego/California Sea Grant to provide \$1,525,927 to support a new class of Science Fellows to conduct research on high priority research topics.

Vote: (5/0: Johnston, Damrell, Tatayon, Fiorini, Piepho) and the motion was adopted.

The video showing the motion and vote can be found on the linked agenda at <http://www.cal-span.org/cgi-bin/archive.php?owner=DSC&date=2016-04-28&player=jwplayer> at 1:10:10.

Ms. Pearson said in the past funding has been through statewide voter-approved bond measures and stressed how important it was to have an anticipated stream of funding for this program.

7b. Consideration of Grants for Three Research Projects (Action Item)

Rainer Hoenicke provided brief comments regarding the staff recommendation for the Executive Officer to award three grants for critical science investigations that are consistent with two of the topics on the HISA endorsed by the DPIIC. Dr. Hoenicke provided descriptions for the three grants. The Executive Officer has delegated authority up to \$500,000 to enter into contracts and interagency agreements on the Council's behalf. Because this contract would exceed that amount, it requires Council authorization. The staff report for this item is posted on the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-7b-consideration-grants-three-research>.

Following the Council briefing, Chair Fiorini asked if there were any members of the public who wished to comment; there were none.

Motion: (Offered by Johnston, seconded by Damrell) to authorize the Executive Officer to award the three grants listed below and sign the individual grant agreements. The topics of these grants are consistent with the HISA list endorsed by the DPIIC and relate to the effectiveness and implications of habitat restoration actions or science support for management of estuarine and migratory species.

The three projects proposed to be awarded are: 1) *Restoration Benefits in the Northeast Delta Landscape: Monitoring and Modeling to Link Physical Processes and the Food Web*. The requested grant amount is \$1,646,109. Grantee: Dr. Joshua Viers and Carson Jeffres, University of California, Davis; 2) *Monitoring Juvenile Spring-run Chinook Salmon in response to Climate-Driven Flows in the South Delta*. The requested amount is \$1,500,000. Grantee: Dr. Peter Klimey, University of California, Davis; and 3) *Assessment of Temperature and Nutritional-dependent Physiological Processes in Larval Green and White Sturgeon*. The requested amount is \$989,000. Grantee: Dr. Nan Fangue, University of California, Davis.

Vote: (5/0: Johnston, Damrell, Tatayon, Fiorini, Piepho) and the motion was adopted.

The video showing the motion and vote can be found on the linked agenda at <http://www.cal-span.org/cgi-bin/archive.php?owner=DSC&date=2016-04-28&player=jwplayer> at 1:16:20.

At the conclusion of Item 7b, the Council recessed for 10-minutes and reconvened the meeting at 10:30 a.m.

8. 2016 Water Year – “El Niño and Beyond”

Agenda Item 8 was presented by Executive Fellow Ansel Lundberg. After brief introductory remarks, Mr. Lundberg introduced the panelists: John Leahigh, chief of water operations for the State Water Project, Department of Water Resources; David Guy, president of the Northern California Water Association; and Ara Azhderian, water policy administer for the San Luis Delta-Mendota Water Authority.

Mr. Leahigh discussed the current and forecasted hydrology and its effect on the State Water Project operations and its allocation for state contractors. Mr. Leahigh provided a PowerPoint Presentation that is posted on the Council's website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-agenda-item-8-powerpoint-presentation>.

Mr. Guy provided background on his organization and discussed the drought's implications for groundwater management. Mr. Guy provided handouts that are posted on the Council's website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-agenda-item-8-planning-dry-year-north-state>.

Mr. Azhderian, provided a presentation that focused on the water agencies in the Jan Joaquin Valley and Santa Clara Valley. Mr. Azhderian provided a PowerPoint presentation that is posted on the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-agenda-item-8-powerpoint-presentation-2016>.

Chair Fiorini asked if there were any members of the public who wished to comment; there were none.

At the conclusion of Agenda Item 8, the Council recessed for lunch at noon and reconvened the meeting at 1:00 p.m. with Chief Executive Officer Dan Ray acting in Executive Officer Pearson's absence.

9. Report on Long-Term Operations Biological Opinions (LOBO) Annual Reviews

Chief Deputy Executive Officer Dan Ray made opening remarks on Agenda Item 9. Mr. Ray noted staff convened the panel at the request of Council member Johnston and invited Sam Harader of the Council's Delta Science Program to introduce the panelists: Garwin Yip, of the National Marine Fisheries Service (NMFS); Kaylee Allen, of the U.S. Fish and Wildlife Service (USFWS); and Ron Milligan, of Reclamation. In Mr. Harader's opening remarks, he noted his staff has assisted in these reviews for the past four years and acknowledged Delta Science Program staff, Lindsay Correa, George Issacs, and Nicole Stern, for their valuable work.

Mr. Yip provided background information on LOBO and described how the review was conducted; the drought operations built into the Biological Opinions' Reasonable and Prudent Alternatives; and modeling to inform management decisions.

Ms. Allen, discussed how USFWS began using incidental take methodology reviewed by the LOBO and explained the take definition under the Endangered Species Act. The incidental take methodology reviewed by the LOBO was not included in 2008 biological opinion, but USFWS has started using it during the last few years. Ron Milligan provided Reclamation's perspective on the annual reviews.

Member Piepho expressed concern over the current thought by some that operations are divorced from hydrology and asked what the panelists thought of this. Mr. Milligan stated that this drought period, specifically, has hit the San Joaquin River particularly hard, which can affect the total amount of Delta outflow. Ms. Allen said she understands that water users want to take advantage of this wetter year, but it's also important to consider that we need to use this wetter year to assist Delta smelt as well. Mr. Yip agreed with Ms. Allen that outflows need to reflect the needs of the Delta smelt.

Member Piepho also asked if the decline in Delta smelt is a result of hydrological impacts or impacts that reflect on biological opinion. Mr. Yip noted that many factors are still contributing to the decline. The Biological opinions focus on water project operations, but other stressors are being considered as well. Mr. Milligan mentioned that the biological opinions are not a recovery plan. Member Tatayon asked if anyone has conducted a study to see which factors are minor and which are major. Ms. Allen stated that multiple studies are on-going to consider the role of various factors. Chair Fiorini asked if there is a specific way to determine if a species is extinct. Ms. Allen responded that under the ESA, there isn't.

Chair Fiorini asked if there were any members of the public who wished to comment; there were none.

10. Discussion Regarding Delta Assets of Significant State Interest and Update on the Delta Levees Investment Strategy (DLIS)

Dustin Jones, supervising engineer, provided opening remarks. For today's briefing, a presentation of the islands and tracts where State interests have been identified within the Delta and Suisun Marsh will be provided, followed by a discussion on the possible implications of using this information to inform development of a risk reduction strategy. The staff report for Agenda Item 10 is posted on the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item10dlisupdate>. Attachment 1, State Interests for the Delta Levees Investment Strategy is posted on the Council's website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-10-attach-1-march-2015-state-interests>. Representative maps show where State interests are protected by levees as well as where potential tidal habitats could be restored if the levees were changed. Attachments 2-9 indicate population, property and other assets' valued, islands that support water supply, current and potential freshwater habitats, potential tidal habitat locations, and locations supporting the Delta's unique values. These maps are posted on the Council's website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item10attach2>; <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item10attach3>; <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item10attach4>; <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item10attach5>; <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item10attach6>; <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item10attach7>; <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item10attach8>; and <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item10attach9>. Attachment 10, Delta Levees Maintenance Subventions Program Expenses (1987-2013) is posted on the Council's website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-10-attachment-10-delta-levees-subventions>. Provided as a handout, Attachment 11, Summary of Data Sources for the Delta Levees Investment Strategy Asset Evaluation is posted on the Council's website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-agenda-item-10-attachment-11-summary-delta>.

Consultant Charles Gardiner walked through the early parts of the decision support tool explaining its mapping. Consultant Larry Roth discussed the DLIS approach to considering risk to inform decisions about levee investment priorities.

The demonstration of the tool can be found on the linked agenda at the following timestamp – <http://www.cal-span.org/cgi-bin/archive.php?owner=DSC&date=2016-04-28&player=jwplayer> at 3:34:46 through 4:03:41.

Chair Fiorni asked if this level of detail had been completed before. Mr. Gardiner responded that he didn't think it had been done for the Delta, but this inventory compiles information from other individual inventories. Chair Fiorini noted that there were 68 sources for the DLIS evaluation.

Member Piepho asked if the State Water Project and the Central Valley Project's water supply interests were included on the maps. Mr. Ray responded that the intent of the maps was to provide a cumulative perspective.

Member Piepho asked when will we be able to reconsider its *19 Principles*. Mr. Jones responded that the information displayed to the Council today will be shared with the public and feedback solicited. Once feedback is received, staff may bring the *19 Principles* back to the Council. Member Piepho also asked if staff would be asking "what are we missing" during the public outreach. Mr. Jones responded that yes, that question would definitely be asked.

Chair Fiorini asked if there were any members of the public who wished to comment; there were none.

11. Approval of DWR Proposed Proposition 12 Expenditures: Delta Aqueduct Protection Project – Upper Jones Tract (RD 2039) (Action Item)

Mr. Ray introduced Agenda Item 11 and Mr. Jones provided opening remarks. Mr. Jones summarized the recommendation that the Council adopt specified CEQA findings and approve funding by the Department of Water Resources (DWR) for Reclamation District (RD) 2039's Delta Aqueduct Protection Project – Upper Jones Tract. The State funds allocated by the proposed Council action total \$1,659,100. A local cost share fund of \$292,782 will provide an additional 15 percent of the project's total cost. The purpose of the Council's approval is to facilitate funding by DWR from Proposition 12, the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000, for local projects consistent with Water Code section 83002(a)(1). Council authorization is required per Water Code section 83002. The staff report for this item is posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-11-rd-2039-levee-projects>. The attachments for this staff report: Project Vicinity Map; Project Location; Upper Jones Tract Project – Area of Work; Upper Jones Tract Project – Typical Levee Cross Section; CEQA Notice of Exemption Filed by RD 2039; DWR Concurrence Regarding CEQA Categorical Exemption; RD 2039 UJ 10-1.0 Scope of Work; and CDFW Staff Letter Regarding the Scope of Work Approval are posted on the Council's website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-11-attach-1-rd-2039-vicinity-map>; <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-11-attach-2-rd-2039-project-location>; <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-11-attach-3-rd-2039-areas-work>; <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-11-attach-4-rd-2039-typical-levee-x>; <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-11-attach-5-rd-2039-notice-exemption>; <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-11-attach-6-dwr-staff-letters-ceqa>; <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-11-attach-7>; and <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-item-11-attach-8-cdfw-staff-letters-scope-work>.

Eileen White presented a PowerPoint presentation that is posted on the Council's website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-april-28-2016-meeting-agenda-item-11-powerpoint-presentation-delta>. Chair Fiorini asked if there were any members of the public who wished to comment; there were none.

Motion: (Offered by Piepho, seconded by Damrell) to Approve funding by DWR for RD 2039's Delta Aqueduct Protection Project – Upper Jones Tract pursuant to Water Code section 83002(a)(1). \$1,659,100 of State funds will be allocated pursuant to the proposed Council action. A local cost share of an additional \$292,782 will provide 15 percent of the project's total cost. The Council's approval of the project is based on the following findings: 1) The Council concurs with RD 2039 and DWR that the proposed project is exempt from CEQA under Class 1 Categorical Exemption (Article 19, Sec. 15301), and 2) the proposed project meets the criteria set forth in Water Code Section 83002(a)(1).

Vote: (5/0: Johnston, Damrell, Tatayon, Fiorini, Piepho) and the motion was adopted.

The video showing the motion and vote can be found on the linked agenda at <http://www.cal-span.org/cgi-bin/archive.php?owner=DSC&date=2016-04-28&player=jwplayer> at 4:24:20.

12. Public Comment

Chair Fiorini asked if there were any members of the public who wished to comment; there were none.

The meeting adjourned at 2:50 p.m.